

## SERC MEETING

July 8, 2014

Nebraska Transportation Center

University of Nebraska – Lincoln

2200 Vine Street, Room 344A

Whittier Board Room

Lincoln, Nebraska

1:00 PM CST

### I. **Call to Order**, Introduction of Members

A copy of the Nebraska Open Meeting Statute was available for review on the registration table. Tim Hofbauer, Vice Chair, called the meeting to order at 1:01 PM.

Member		Affiliation	Present
(empty)		City Government	
Sheri	Blaha	County Elected Official	
Daryl	Bohac	Military	
Steven	Danon	Small Business	X
Keith	Deiml	Education	X
Don	Eisenhauer	Agribusiness	
Joe	Francis	Department of Environmental Quality	X
Gary	Gandara	Labor	
John	Grimes	Industry	X
Keith	Hansen	Chair, Community Health	
Jim	Heine	State Fire Marshal	X
Tim	Hofbauer	Vice Chair, Local Emergency Management	X
Larry	Johnson	Trucking Association	X
Mark	Lohnes	NDEQ SARA Title III	X
Dana	Miller	Fire	
Mark	Meints	NDOR Alt	X
Tonya	Ngotel	SERC Coordinator	X
Kimberly	Plouzek	Environmental Protection	X
Ben	Salo	Transportation	X
Tom	Sands	Department of Roads	X
Thomas	Schwarten	State Patrol	X
Sue	Semerena	Health and Human Services	X
Bryan	Tuma	NE Emergency Management	X

*Others in attendance: Gary Blasdel TSA, Terri Blunk Region 7 EPA, Mark DeKraai Public Policy Center, Aemal Khattak UNL Transportation Center, Hayley Sutter Public Policy Center, and Nikki Weber NEMA*

### II. **Approval of the Agenda** for July 8, 2014

Sue Semerena made a motion to approve the agenda. Tom Schwarten seconded the motion; the motion passed by consensus.

### **III. Approval of the Minutes** from April 4, 2014 meeting.

Joe Francis made a motion to approve the meeting minutes from January 7, 2014. Kim Plouzek seconded this motion; the motion passed by consensus.

### **IV. New Business**

#### **a. Executive Order – Improving Chemical Facility Safety and Security (follow up)**

Executive Order 13650 – Improving Chemical Facility Safety and Security was issued on August 1, 2013 to enhance the safety and security of chemical facilities and reduce risks associated with hazardous chemicals to facility workers and operators, communities, and responders. EO 13650 established a working group of federal government employees from the EPA, Department of Labor, and Department of Homeland Security. In their first report to the President, the working group determined the EPA, OSHA, Department of Homeland Security, and other federal agencies should work together and support LEPCs and SERCs. EPA will be releasing a request for information for risk management and emergency planning.

#### **b. Emergency Restriction – Bakken Crude Oil transport**

The Emergency Restriction/Prohibition Order came out by the Department of Transportation on May 7, 2014; by this Order, the railways had 30 days to report to the State Emergency Response Commissions (SERC) if they were transporting more than 1,000,000 gallons of Bakken crude oil on the rails within each state they travel. The Order came about due to a number of accidents, including one that killed 49 people in Canada. Nebraska has two major railroads that traverse the state and a number of short lines that travel among the boundaries. The SERC Coordinator working on behalf of the SERC has been in contact with both major railroads and some of the short lines and is currently reviewing the routing information.

#### **c. Region 7 Stakeholder Meeting**

The Region 7 Stakeholder Meeting was held on June 26 in Kansas City. The EPA sponsored SERC members from the four regional states to attend; Mark Lohnes and Tonya Ngotel attended the meeting on behalf of Nebraska. The stakeholder meeting is held annually and SERC members are invited to attend. Topics of discussion included the upcoming Region 7 LEPC/TERC conference, the new requirements under EPCRA and TIER II reporting, and the response to local issues.

### **V. Old Business**

#### **a. LEPC Membership Approval (Vote)**

Forty LEPC membership applications were received; however, one was lacking the necessary signature from the Chairperson and had to be withheld from consideration. Larry Johnson made a motion to approve the 39 membership applications as they were received. John Grimes seconded this motion; the motion passed by consensus.

#### **b. SERC Membership Committee**

##### **i. Status Report**

The City Elected Official position is currently open; a recently elected mayor in Dakota County has expressed interest in the position. SERC members; Keith Hansen, Tim Hofbauer, and Dana Miller need to renew their membership this year.

#### **c. 2015 Regional LEPC Conference**

The 2015 Regional LEPC Conference will be held on August 6-8, 2015 at the Arbor Day Lodge in Nebraska City, Nebraska. A call for presenters has been released. Grant money will be set aside to support attendance.

**d. HMEP Grant Overview**

The HMEP grant is provided by the Department of Transportation to support the LEPCs. \$19,801.08 was unobligated from the FY12-13 grant; \$171,878.01 is remaining in the FY13-14 grant (\$94,005.23 has been allocated for training and \$77,872.78 has been allocated for planning), which ends on September 30, 2014. The FY14-15 grant has not been approved yet; however, \$278,354.58 was requested, \$144,322.05 for training and \$132,032.53 for planning; this grant should begin on October 1, 2014.

**e. Other**

**i. Commodity Flow Study**

The Transportation Center completed the commodity flow study report and is planning a half-day workshop on August 13, 2013 to discuss the study, the work that has been completed, needs for the future, and how the study will be used as a planning document.

**ii. LEPC Guide**

A draft of the LEPC guide has been sent out for comments; all corrections to the guide should be sent to the University of Nebraska Public Policy Center. The current LEPC guide and survey will be redrafted and sent out to LEPC members for review and comments. The previous LEPC membership survey was conducted five years ago; the new survey may replicate some of the previous questions to gauge changes in the past five years. 118 people responded to the last survey, which asked how often the LEPC met, their successes and barriers, their contributions to success and obstacles, how they use their funding, if they follow up with facilities that have not filed their Tier II, and materials that would be helpful for them. Next steps will be for the subcommittee to meet to finalize the guide and survey and then to send it out for review by LEPC members.

**VI. Report from NEMA**

Al Berndt has retired from NEMA; Bryan Tuma has joined NEMA as the Assistant Director. Bryan was formally a member of SERC when it was in its infancy. Three teams from NEMA were sent to coordinate the response and recovery efforts in Pilger and the surrounding areas. NEMA is in the process of asking for a presidential disaster declaration; prior to the declaration, a preliminary disaster assessment must be completed by FEMA. The Hazmat Challenge will be held in September in Omaha; technician qualified industry or community hazmat teams are invited to attend. The Emergency Response Guidebook will be released in 2016 the USDOT PHMSA is seeking comments and suggestions from first responders.

**VII. Report from NDEQ/EPA**

NDEQ's primary role is debris management. All LEOPs have debris management plans; however, the protocols are not always followed after an incident. NDEQ is seeking ways to assist emergency managers following an incident and have produced laminated cards with information regarding debris management. Tier II data was used during the Pilger and Beaver Crossing tornados. The NHIT Team did a close survey of the material in Pilger and determined there was no damage; NHIT continues to coordinate the removal of materials. Federal agencies gave reports during the Region 7 Regional Response Team Meeting; Bakken crude oil and firefighting were major topics during the meeting. EPA reported they were down five on-scene coordinators. Union College is vacating their old science and chemistry building; while moving a mercury monometer was broken. EPA assisted with the cleanup of the spill.

June 2014 was the five-year resubmission date for 40% of facilities that file RMPs; only four facilities did not submit, including Pilger and their sister facility. Prior to the submission deadline an RMProgram webinar was conducted; the slides from this webinar will be made available online. A new version of my RMP was released for anhydrous ammonia fertilizer retailers that need guidance on risk management and industry standards. The EPA is working on their inspection targeting list; any facilities that might be of concern should be sent to the EPA for investigation.

**VIII. Public Forum/Presentation – Hazmat Response Cleanup after a Tornado**

The Nebraska Hazardous Materials Incident Team (NHIT) was contacted by the State Patrol to respond to the tornado in Pilger. NHIT arrived on scene around 6:00 PM and made contact with incident command to determine what needed to be done. Multiple propane tanks were overturned with leaking pipes; NHIT was asked to mitigate two 10,000 gallon tanks that were overturned (the NHIT was not asked to deal with any of the anhydrous ammonia tanks). NHIT members monitored the scene and determined the lower explosion limit (LEL) was low enough that an approach could be made for mitigation. Extra team members arrived at 7:00 pm and a backup team from operationally trained departments was put in place. Alcohol resistant spray foam was laid down and the team was able to put plugs in the tanks; the leakage from tank one was completely stopped and the leakage from tank two was nearly completely stopped. After this was complete, inspections of the four facilities were conducted. The following day the NHIT team replaced plugs that were not stopping leakages completely and worked with DEQ and the EPA to inspect the packages in the facilities. The NHIT team debriefed for an hour and was dismissed by 2:00 pm.

**IX. Adjournment**

Larry Johnson made a motion to adjourn the meeting. John Grimes seconded this motion; the motion passed by consensus. The Meeting adjourned at 2:20 PM.

**X. Next Meeting**

The next SERC meeting will be held on October 7, 2014; the meeting will be held at the Cornhusker Hotel in conjunction with the Safety Council's Annual Conference.